UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,396	02/05/2002	Richard St.Clair Bailey	MS190455.01	4779

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EXAMINER
ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/072,396	BAILEY ET AL.
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _10 September 2007_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _42-58_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _42-58_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date 20071029

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

This Office action is in response to the Request for Continued Examination filed 10

September 2007.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 50 and 57 recite the limitation "the forwarded event". There is insufficient

antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 42-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lum et al

(US Patent 6,065,041), hereinafter Lum, and Mical (US Patent 4,772,882).

Regarding claim 42, 45 and 51, Lum teaches an application (the Console Application

Programming Interface [CAPI] of col. 3, lines 12-27 and 48-56), a data source locally accessible

to the application that includes a plurality of data elements (the storing of interfaces in a system

database at col. 3, lines 28-36, with further accessing by the CAPI at col. 8, lines 29-39),

software to select a configuration and an appearance of a list of data items from the data source to be presented, and a list manager to be instantiated by the software (see col. 4, lines 26-42; with support for list displays at col. 13, lines 10-14) to: act as an interface between the data source and the list, receive the configuration and the appearance from the software, access the data source, and populate the list of data items according to the configuration and the appearance (taught as the client/server style interface updating of col. 10, lines 48-53).

However, Lum fails to explicitly teach wrapping one or more display controls that are attached to the list with a property that stores a unique identifier that specifies which said data element a particular said display control is currently displaying.

Mical teaches a user interface system similar to that of Lum. Furthermore, Mical teaches wrapping one or more display controls that are attached to the list with a property that stores a unique identifier that specifies which said data element a particular said display control is currently displaying (taught as the use of variables for storing data indicating which elements are currently being displayed, are active, etc. at col. 3, lines 19-29).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Lum and Mical before him at the time the invention was made to modify the interface system of Lum to include the status variables of Mical. One would have been motivated to make such a combination for the advantage of facilitating simple and expedient item selection and control, at col. 1, lines 41-44.

Claims 45 and 51 recite limitations similar to claim 42, and as such are similarly rejected.

Regarding claim 43, Lum teaches a system wherein the list manager further populates the list of data items according to a scrolling event, taught as the client/server style interface updating of col. 10, lines 48-53.

Regarding claim 44, Lum teaches a system wherein the list manager is capable of residing on various systems using various computing platforms and being added to various applications, taught as the cross platform/application functionality of col. 7, lines 55-63.

Regarding claim 46, Lum and Mical teach a method for managing a display state of the display controls (as seen in Mical), and the display state changes between a request to change data elements in the display controls and an actual change of the data elements in the display controls, taught as the event driven client/server style interface updating at col. 10, lines 48-53 of Lum.

Regarding claim 47, Lum and Mical teach a method for managing a display state of the display controls, and the display state of the display controls changes while data elements in the display controls are changing, taught as the event driven client/server style interface updating at col. 10, lines 48-53 of Lum.

Regarding claim 48, Mical teaches managing a display state of the display controls, and the display state changes in response to a selection of a user of the list generating engine (taught as the use of a variable representing which item is "active" at col. 3, lines 19-29).

Regarding claim 49, Lum and Mical teach managing a display state of the display controls, and the display state of the display controls is managed simultaneously while managing the data elements in the display controls (taught as the use of the variable manager of Mical in combination with the event driven client/server style interface updating at col. 10, lines 48-53 of Lum).

Regarding claim 50, Lum and Mical teach the unique identifier enabling the application to request more detail about a particular said data element from the data source beyond that which is currently displayed within the display list, taught as the use of submenu items related to a displayed menu item of Mical, at col. 3, lines 48-57. As no "forwarded event" or any similar event has been previously claimed, the examiner interprets the limitation of "the application listens to the forwarded event without listening to the events directly from the display list" in the broadest reasonable light. Such a limitation is taught through the event driven client/server interface updating of col. 10, lines 48-53 of Lum.

Regarding claim 52, Lum and Mical teach means for changing the display state of the display controls while continuing to manage the data elements in the display controls, (taught as the use of the variable manager of Mical in combination with the event driven client/server style interface updating at col. 10, lines 48-53 of Lum).

Regarding claim 53, Lum and Mical teach the display state of the display controls changes between a request to change data elements in the display controls and an actual change of the data elements in the display controls, (taught as the use of the variable manager of Mical in combination with the event driven client/server style interface updating at col. 10, lines 48-53 of Lum).

Regarding claim 54, Lum and Mical teach the display state of the display controls changes while data elements in the display controls are changing, (taught as the use of the

variable manager of Mical in combination with the event driven client/server style interface updating at col. 10, lines 48-53 of Lum).

Regarding claim 55, Mical teaches the display state changes in response to a selection of a user of the list generating engine, taught as the use of a variable representing which item is "active" at col. 3, lines 19-29.

Regarding claim 56, Lum and Mical teach means for managing the display state of the display controls, wherein the means for managing the display state of the display controls functions simultaneously with the means for managing the data elements in the display controls, (taught as the use of the variable manager of Mical in combination with the event driven client/server style interface updating at col. 10, lines 48-53 of Lum).

Regarding claim 57, again the examiner notes that no basis exists for the limitation "the application listens to the forwarded event without listening to the events directly from the display list", however, such a limitation is taught through the event driven client/server interface updating of col. 10, lines 48-53 of Lum.

Regarding claim 58, Mical teaches the unique identifier enables the application to request more detail about a particular said data element from the data source beyond that which is currently displayed within the display list, taught as the use of submenu items related to a displayed menu item of Mical, at col. 3, lines 48-57.

Response to Arguments

Applicant's arguments with respect to claims 42-58 have been considered but are moot in view of the new ground(s) of rejection.
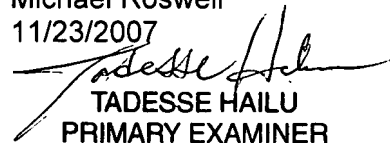
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
11/23/2007

TADESSE HAILU
PRIMARY EXAMINER